

## **REMARKS**

### **I. Introduction**

Claims 6 to 11 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Rejection of Claims 6 to 9 and 11 Under 35 U.S.C. § 103(a)**

Claims 6 to 9 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of either (1) U.S. Patent No. 5,934,748 ("Faust et al.") or (2) German Patent Publication No. 19703516 ("Faust et al. II") and U.S. Patent No. 6,078,024 ("Inoue et al."). It is respectfully submitted that the combination of either Faust et al. or Faust et al. II and Inoue et al. does not render unpatentable the present claims for at least the following reasons.

Claim 6 relates to a method for adjusting a temperature of a motor vehicle seat including a seat ventilation system and a seat heater. Claim 6 recites the steps of detecting the temperature of the seat in a region of a seat surface by a first temperature sensor, detecting an outside temperature by a second temperature sensor, switching off the seat ventilation system below a first temperature threshold for the outside temperature, and switching off the seat heater above a second temperature threshold for the outside temperature. This method allows the temperature to be controlled only by operation of the ventilation system when the outside temperature is above the first temperature threshold and only by operation of the heater system when the outside temperature is below a second threshold, with an optional range between the two thresholds in which the seat temperature may be controlled by both the ventilation system and the seat heater.

Faust et al. relate to a vehicle seat with temperature and ventilation control and method of operation. Faust et al. disclose measuring a cushion surface temperature and switching on a ventilation device or switching off a heating device when the surface temperature is above an indicated value. Abstract. Faust et al. also disclose switching off a the ventilation device or switching on the heating device when the surface temperature is measured to be above the indicated value. *Id.* In this regard, Faust et al. do not disclose or suggest **switching off a seat ventilation system below a first temperature threshold for the outside temperature**. Faust

et al. also do not disclose or suggest **switching off a seat heater above a temperature threshold for the outside temperature.**

Faust et al. II relate to a vehicle seat with upholstery heating and cooling. Faust et al. II disclose a heat sensor in a seat upholstery and a control unit that switches on a ventilation unit or disengages a heater when the temperatures registered by the sensor exceed a predetermined value. Abstract. Faust et al. II also disclose that the reverse takes place when the temperature falls below the predetermined value. Abstract. In this regard, Faust et al. II do not disclose or suggest **switching off a seat ventilation system below a first temperature threshold for the outside temperature.** Faust et al. II also do not disclose or suggest **switching off a seat heater above a temperature threshold for the outside temperature.**

Inoue et al. relate to an air conditioning apparatus having an electric heating member integrated with a heating heat exchanger. As an initial matter, Applicants respectfully note that, as opposed to the Office Action's contention at page 2 that Inoue et al. teach seat heating and ventilation, Inoue et al. in fact do not disclose, or even suggest, a **seat heater** or a **seat ventilation system**.

Notwithstanding the foregoing, Inoue et al. describe a heating heat exchanger for heating air, in which hot cooling water from the engine is used to supply heat. In order to address the problem of insufficient water temperature (see, e.g., col. 1, lines 24 to 32), Inoue et al. provide supplementary heat via electric heating members integrated with the heating heat exchanger (see, e.g., col. 2, lines 6 to 12). Inoue et al. further provide, referring to Figure 5, a control system whereby the electric heat is only supplied under certain conditions, such as when the outside temperature is below a set temperature, the engine cooling water is below a set temperature and a maximum heating switch is on. Thus, Inoue et al. disclose an **air-conditioning system** in which only a **supplemental portion** of the heat supply is switched off when not needed. In view of the foregoing, it is clear that Inoue et al. do not disclose, or even suggest, either of **switching off a seat ventilation system below a first temperature threshold for the outside temperature** or **switching off a seat heater above a second temperature threshold for the outside temperature.**

As indicated above, the combination of either Faust et al. or Faust et al. II and Inoue et al. does not disclose, or even suggest, all of the features of any of claims 6 and 11. As such, Applicants respectfully submit that the combination of

either Faust et al. or Faust et al. II, and Inoue et al. does not render unpatentable any of claims 6 and 11.

As regards claims 7 to 9, which depend from claim 6 and therefore include all of the features recited in claim 6, it is respectfully submitted that the combination of either Faust et al. or Faust et al. II, and Inoue et al. does not render unpatentable these dependent claims for at least the same reasons set forth above in support of the patentability of claim 6.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**III. Allowed Claim 10**

Applicants note with appreciation the indication that claim 10 is allowed.

**IV. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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